

MANSFIELD TOWNSHIP COMMITTEE MEETING

January 25, 2017

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mrs. Mora Dillon made a motion to approve the passage of the minutes from the regular meeting held on January 11, 2017, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

BILL LIST:

Mrs. Mora Dillon made a motion to approve the bill list with addendum, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

CLERKS REPORT:

Mrs. Mora Dillon made a motion to approve the Junk Yard License for Port Murray Auto, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

Mr. Wenner, Esq. stated that we are entering into Executive Session to discuss a personnel matter dealing with the CFO.

Mrs. Mora Dillon made a motion to enter into Executive Session at 7:35 pm, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher
Abstain: None

Mr. Hayes made a motion to return from Executive Session at 7:49pm, which was seconded by Mrs. Mora Dillon.

Roll Call: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Mr. Wenner, Esq. stated that during Executive Session the Committee discussed a Personnel CFO position, attorney client privilege dealing with potential sign ordinance copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

Mrs. Mora Dillon made a motion to approve the personnel matter of hiring Natsha Turchin as the Townships Consultant for intern CFO, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters
Nays: None
Absent: Mrs. Kocher
Abstain: None

EMPLOYEES REPORTS:

Mrs. Fascenelli stated that Edmunds was able to reconfigure the purchase orders to be more like the previous purchase orders with a space for Committee member's signature.

Mrs. Fascenelli stated that the report for the 2014 tonnage grant was received and the Township's grant is \$12,698.86 which is the second highest payout in Warren County for 2014.

Mrs. Fascenelli stated that she would like to schedule paper shredding and e waste events to be held this year.

ENGINEERS REPORT:

Mr. DiSessa stated that he met with Mr. Hayes and Patrick Wood to go through the salt shed and come up with solution to getting the Salt Shed repaired.

Mayor Watters asked where we were with the generator grant.

Mr. DiSessa stated the Electrical Engineer will be going out to survey the properties and then the bid paperwork will be ready within the month to be put out to bid.

Mr. Misertino asked about the material that was placed out at the church.

RESOLUTION:

RESOLUTION # 2017-35
FOR TRANSFER OF FUNDS

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2016 budget line items; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of appropriation reserve funds before April 1, 2017.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

CURRENT FUND		
<u>Account:</u>	<u>From:</u>	<u>To:</u>
Streets & Roads S/W	\$ 2,600.00	
Public Defender Misc.		\$ 2,600.00
TOTALS	\$ 2,600.00	\$ 2,600.00

Mrs. Mora Dillon made a motion to approve the passage of Resolution 2017-35, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

2017-36

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, Allentown SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Township of Mansfield; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Mansfield, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of Mansfield.
 - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Mansfield, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Mansfield.
 - D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more person in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Mansfield as an additional insured.
 - E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
 - F. Notwithstanding any provision contained herein, neither the Township of Mansfield nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
 - G. This instrument shall be adopted on behalf of the Township of Mansfield by the Township Committee of the Township of Mansfield and attested to by the Township of Mansfield Clerk who shall affix the Township of Mansfield Seal thereto .
 - H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Township of Mansfield by parties that have the lawful right to maintain such poles.

Mrs. Mora Dillon made a motion to approve the passage of Resolution 2017-36, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

ORDINANCE:

ORDINANCE 2017-01

**ORDINANCE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF WARREN, STATE OF NEW JERSEY, AMEND-
ING AND SUPPLEMENTING CHAPTER 5, ARTICLE III,
SECTIONS 5-17 AND 5-19, ENTITLED “ECONOMIC AND IN-
DUSTRIAL DEVELOPMENT ADVISORY COUNCIL”.**

WHEREAS, the Township previously created an entity known as the Economic and Industrial Development Advisory Council of the Township of Mansfield; and

WHEREAS, the Economic and Industrial Development Advisory Council of the Township of Mansfield has requested that the word “Industrial” be removed from the name of the Council; and

WHEREAS, the Code presently designates the Mayor as a non-voting ex-officio member of the Council; and

WHEREAS, it is the desire of the Township Committee to amend the Ordinance to allow the Mayor the option of appointing a designee to serve on the Council; and

WHEREAS, the Township Committee believes it is in the best interest of the residents of Mansfield Township to remove the word “Industrial” from the name of the Council and allow the Mayor the option to appoint a designee to serve on the Council;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

SECTION 1. Chapter 5, Article III, Section 5-17 of the Code of the Township is hereby amended to delete “Industrial” from the name of the Council.

SECTION 2. Chapter 5, Article III, Section 5-19 of the Code of the Township of Mansfield is hereby amended as follows:

- A. The Advisory Council shall consist of seven members including the chairman, who shall be appointed by the Mayor with the advice and consent of the Township Committee. A member shall serve for a three-year term provided that the members first appointed to the Advisory Council shall serve for terms of: Two for one year, two for two years and three for three years. The Mayor, or his designee, shall serve as a non-voting ex-officio member.

SECTION 3. All ordinances or parts of ordinances which are consistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect after final passage and publication in accordance with the law.

Mrs. Mora Dillon made a motion to approve the introduction of Ordinance 2017-01 and requested that the public hearing be held on February 22, 2017, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher
Abstain: None

PUBLIC PORTION:

Dennis McKeivitt spoke to the Township Committee in reference to 445 Watters Road property.

Scott Cruts, Vice President Butler Park, asked Mr. Hayes that he meet with all four fire companies.

Alec Kocher, Chief Butler Park Fire Department, MSDS for the Solar Field on Hengst Farm, the equipment that was supplied will not be suitable if there is a fire at this location and there will be a meeting with all four fire companies to come up with an SOG for any issue of a fire on this property.

Carol Thompson, Route 57, spoke in reference to Route 57 Auto and the issues.

Mrs. Thompson asked if Mr. DiSessa will be inspecting the property before the junkyard license is issued.

Elizabeth Griggs, 545 Mount Bethel Road, asked if any of the Township Committee members went to the salt shed after the last Township Committee meeting being that it was raining.

Ms. Griggs stated that she noticed that the CFO is a high turnover rate.

Nick Toscano, stated that they have been doing nothing that they are not supposed to.

Mr. Thompson, Route 57, this will not stop until all of his crap is behind the fence.

COMMITTEE PERSON COMMENTS:

Mr. Misertino had nothing to report.

Mayor Watters appointed Paul Tarlowe to the Musconetcong Watershed representative and also to the Environmental Commission.

Mayor Watters appointed Jim McMekin as the Musconetcong Watershed representative backup to Mr. Tarlowe.

Mayor Watters appointed Robert Jewell as the representative from the Environmental Commission to the Land Use Board to fill Elaine Drazek's unexpired term.

Mayor Watters appointed Carren Thomas as Mansfield's Representative to the Municipal Charitables Conservancy representative.

Mayor Watters stated that he called the four individuals that turned in Citizen Involvement Forms for EDAC two did not wish to be on and two did not respond.

Mayor Watters stated that we have two contracts from Michael Margulies one for this building roof and hvac and one for the Mount Bethel Church for the next phase of the project that we need to approve.

Mrs. Mora Dillon made a motion to approve the contract for Michael Margulies to perform the architecture work for the roof bid and the hvac review, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

Mrs. Mora Dillon made a motion for to approve the contract for Michael Margulies to perform the planning and architecture work for the next phase on the Mount Bethel Church, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mrs. Kocher

Abstain: None

Mrs. Mora Dillon made a motion to adjourn at 8:43pm, which was carried by all.